REMARKS

By the foregoing Amendment, applicant has taken into account the Examiner's comments made in the previous Office Action that the recitation of a term "aqueous" is allegedly indefinite under 35 U.S.C. §112, 2nd paragraph.

By the foregoing Amendment, applicant has amended the claims to make it clear that the "aqueous acrylic polymer base solution" (or "aqueous methyl methacrylate polymer based solution") in each of independent claims 5, 10 and 15 is an intermediate composition with a film of conductive polymeric composition being a dried form thereof. Support for the acrylic polymer base (or methyl methacrylate polymer base) being an aqueous solution is found in the original disclosure, for example, in the footnotes following example 1. Accordingly, withdrawal of the rejection is respectfully requested.

Reconsideration and withdrawal of the previous rejections of the claims based upon the combination of Shaw in view of Sugimoto is respectfully requested.

As noted hereinabove, the claims now specify that the aqueous methy methacrylate (or acrylic polymer) base is a "solution," with support being found in the original disclosure, for example, in the footnotes of Example 1. Such a limitation clearly distinguishes over the proposed combination of Shaw and Sugimoto.

As the Examiner notes in the previous Office Action, "Shaw teaches that the film forming resin is colloidally dispersible in water (column 2, lines 50-52)."

However, a "dispersion" or "dispersible in water" is not a "solution" as instantly claimed. Sugimoto does not correct the foregoing deficiencies of Shaw. In Sugimoto it is clear that the paper

layer is not in direct contact with a conductive polymeric composition. See, for example, Kraft paper layer 6 in Fig. 3 of Sugimoto, which is separated by adhesive layer 3 from the other components of the laminate.

Applicants also note the Examiner's comments regarding that "articles are defined by the final structure of a product and not the intermediate steps of the materials used to form the article" is not a correct representation of patent law.

All limitations of the claim must be considered and, in the instant case, the presentation of an aqueous polymer based solution which directly contacts paper provides a different structure than a mere "dispersion" of resin particles in an aqueous vehicle.

Clearly, the two resulting products are distinctly different insofar as the "colloidal dispersion" of Shaw would be an agglomeration of particles on a substrate, whereas in the claimed invention, the polymer base solution would be a film-forming material in direct contact with the paper or other substrate. Accordingly, considering the limitations of the claims, as recited, it is clear that Shaw neither teaches, nor in combination with Sugimoto, makes obvious the claimed invention. The structure of a "film" in direct contact with a paper substrate makes it clear that the intermediate composition produces a structure different than a mere agglomeration of solid particles which had been previously dispersed in an aqueous vehicle, but are now deposited on a substrate. Such a porous agglomeration of solid particles is not the invention claimed by the structure of each of the independent claims. For the foregoing reasons, withdrawal of the rejection of claims 5 and 7 over Shaw in view of Sugimoto is respectfully requested.

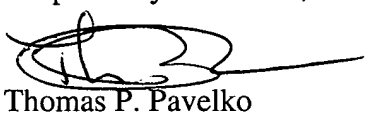
Reconsideration and withdrawal of the previous rejection of claims 10-12, 15-17 and 20 over Keough in view of Sugimoto is also respectfully requested in view of the foregoing amendment and the following comments.

As noted above, the fact that the intermediate product is an aqueous solution produces a different structure than the structure produced by the combination of Keough and Sugimoto. As noted hereinabove, the Examiner cannot exclude the recited limitations of the claim, especially when the claim limitations recite a structure which is not found in the prior art. For example, in the claimed invention, the acrylic (or methylmethacrylate) polymer is water-based, i.e., "aqueous" and, moreover, is in the form of a solution, whereas the composition of Keough is a reaction product formed by electron radiation curable components. As the Examiner recognizes, Keough teaches that the anti-static composition is applied to a substrate and then the mixture is contacted with electron radiation (See, Abstract). It is clear that Keough does not provide an aqueous polymer based solution as in the instant claims, nor what the components and by-products of the reaction process are. In the claimed invention, electron radiation is not required to "create" polymers after the reactants are applied to a substrate but, rather, forms a composite product wherein the conductive polymeric layer begins as a polymeric aqueous solution. Accordingly, withdrawal of the rejection is respectfully requested.

Further, the combination of Keough in view of Sugimoto (and, optionally, also in view of Felter as applied to claims 13 and 18) does not correct the foregoing deficiencies of Keough.

For the foregoing reasons, withdrawal of all rejections and passage of the application to issue are respectfully requested.

Respectfully submitted,



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Date: July 13, 2005